

### **REMARKS**

The present Amendment amends claim 5 and leaves claims 2-4 unchanged. Therefore, the present application has pending claims 2-5.

Claims 2-5 stand rejected under 35 USC §102(e) as being anticipated by Takahashi (U.S. Patent No. 6,295,099). This rejection is traversed for the following reasons. Applicants submit that the features of the present invention as now recited in claims 2-5 are not taught or suggested by Takahashi whether taken individually or in combination with any of the other references of record. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to the claims to more clearly describe features of the present invention as recited in the claims. Particularly, amendments were made to the claims to recite that the present invention is directed to an information management apparatus for managing recorded information.

According to the present invention the information management apparatus includes a receiver which receives main information, a recorder which records the main information on a recording medium, a main information reproducer which reproduces the main information on the recording medium, and a reproduction management means for managing the main information reproducer.

Further, according to the present invention the reproduction management means is provided with a reproduction disabling means for disabling operation of the main information reproducer, wherein the reproduction disabling means includes decision means for deciding whether

the reproduction disabling function of the reproduction disabling means is normal, and a reproduction start refusing means for refusing a reproduction start command requesting start of an operation for reproducing the main information by the main information reproducer, when the decision means decides that the reproduction disabling function of the reproduction disabling means is abnormal.

The above described features of the present invention as now more clearly recited in the claims are not taught or suggested by Takahashi whether taken individually or in combination with any of the other references of record.

In the Office Action, the Examiner alleges that Takahashi discloses reproduction disabling means having decision means for deciding whether the reproduction disabling function of the reproduction disabling means is normal and a reproduction start refusing means for refusing a reproduction start when the decision means decide that the reproduction disabling means is abnormal. Applicants do not agree.

In Takahashi, stored data may be erased by setting an erased flag which provides an indication that the stored data corresponding to the flag can not be accessed and as such normal reproduction is disabled (col. 4, lines 39-42).

There is no teaching or suggestion in Takahashi of a reproduction start refusing means that is capable of refusing a reproduction start command directed to the main information reproducer as in the present invention. In Takahashi, if the data has been deleted, there is no teaching that a reproduction start command is thereby refused as in the present invention. In fact at no point is there any teaching or suggestion in Takahashi that a

reproduction start command is issued and that the reproduction start command can selectively be refused based on whether another element decides whether the reproduction disabling means is operating normally as in the present invention.

According to the present invention the other element is the decision means which decides whether the reproduction disabling means, which disables operation of the main information reproducer, is operating normally or not. In the present invention when the decision means decides that the reproduction disabling means is operating normally, the reproduction start command is not refused. However, in the present invention when the decision means decides that the reproduction disabling means is operating abnormally, the reproduction start command is refused.

In the Office Action the Examiner alleges that the disabling means in Takahashi is implicitly an arrangement which simply sets the erased flag, thereby setting the data in a recoverable, logical erased state. The passage cited at col. 6, line 66 to col. 7, line 14 of Takahashi provides no teaching or suggestion regarding another element that decides whether the alleged disabling means, namely the arrangement which simply sets the erased flag, is operating normally or not as in the present invention. Further, the above noted passage of Takahashi provides no teaching or suggestion that the other element upon deciding that the alleged disabling means, namely the arrangement which simply sets the erased flag, is operating abnormally, refuses the reproduction start command as in the present invention. The above noted passage of Takahashi simply indicates that if an instruction is given to cancel a search operation, the search operation is stopped.

Thus, Takahashi fails to teach or suggest that the reproduction management means is provided with a reproduction disabling means for disabling operation of the main information reproducer, wherein the reproduction disabling means includes decision means for deciding whether the reproduction disabling function of the reproduction disabling means is normal, and a reproduction start refusing means for refusing a reproduction start command requesting start of an operation for reproducing the main information by the main information reproducer, when the decision means decides that the reproduction disabling function of the reproduction disabling means is abnormal as recited in the claims.

Therefore, Takahashi fails to teach or suggest the above described features of the present invention as now more clearly recited in the claims and as such does not anticipate nor render obvious the claimed invention. Accordingly, reconsideration and withdrawal of the 35 USC §102(e) rejection of claims 2-5 as being anticipated by Takahashi is respectfully requested.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the reference utilized in the rejection of claims 2-5.

In view of the foregoing amendments and remarks, Applicants submit that claims 2-5 are in condition for allowance. Accordingly, early allowance of the present application based on claims 2-5 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any

overpayment of fees, to the deposit account of MATTINGLY, STANGER,  
MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417  
(501.33506CX6).

Respectfully submitted,

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